



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2 FW

Applicant: Steven D. Girouard et al.

Title: METHOD AND APPARATUS FOR CELL AND ELECTRICAL THERAPY OF LIVING TISSUE

Docket No.: 279.466US1

Serial No.: 10/723,258

Filed: November 25, 2003

Due Date: N/A

Examiner: Unknown

Group Art Unit: 3763

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

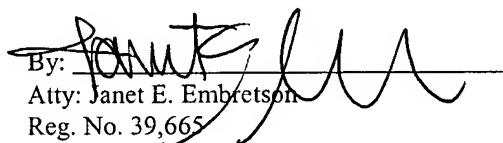
We are transmitting herewith the following attached items (as indicated with an "X"):

- ☒ A return postcard.
- ☒ A Communication Concerning Related Applications (1 pg).
- ☒ An Information Disclosure Statement (2 pgs.), Form 1449 (14 pgs.), and copies of 92 cited documents.


Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

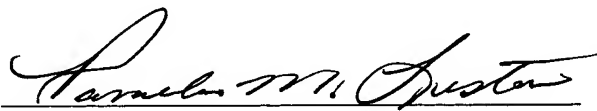
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

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By: 
Atty: Janet E. Embretson
Reg. No. 39,665

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Name


Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
(GENERAL)

S/N 10/723,258

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Steven D. Girouard et al. Examiner: Unknown
Serial No.: 10/723,258 Group Art Unit: 3763
Filed: November 25, 2003 Docket: 279.466US1
Title: METHOD AND APPARATUS FOR CELL AND ELECTRICAL THERAPY OF
LIVING TISSUE

COMMUNICATION CONCERNING RELATED APPLICATION(S)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants would like to bring to the Examiner's attention the following related application(s) in the above-identified patent application:

<u>Serial/Patent No.</u>	<u>Filing Date</u>	<u>Attorney Docket</u>	<u>Title</u>
10/722,115	November 25, 2003	279.597US1	METHOD AND APPARATUS FOR CELL AND ELECTRICAL THERAPY OF LIVING TISSUE
10/788,906	February 27, 2004	279.696US1	METHOD AND APPARATUS FOR DEVICE CONTROLLED GENE EXPRESSION
10/862,716	June 7, 2004	279.697US1	METHOD AND APPARATUS TO MODULATE CELLULAR REGENERATION POST MYOCARDIAL INFARCT

Respectfully submitted,

STEVEN D. GIROUARD ET AL.

By Applicants' Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

P.O. Box 2938

Minneapolis, MN 55402

(612) 373-6912

Date

July 2, 2004

By

Janet E. Embretson
Atty: Janet E. Embretson
Reg. No. 39,665

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 2 day of July, 2004.

Name

Amelia M. Luster

Signature

Amelia M. Luster

S/N 10/723,258



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Steven D. Girouard et al.	Examiner:	Unknown
Serial No.:	10/723,258	Group Art Unit:	3763
Filed:	November 25, 2003	Docket:	279.466US1
Title:	METHOD AND APPARATUS FOR CELL AND ELECTRICAL THERAPY OF LIVING TISSUE		

INFORMATION DISCLOSURE STATEMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 19-0743 in order to have this Information Disclosure Statement considered.

INFORMATION DISCLOSURE STATEMENT

Serial No :10/723,258

Filing Date: November 25, 2003

Title: METHOD AND APPARATUS FOR CELL AND ELECTRICAL THERAPY OF LIVING TISSUE

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Dkt: 279.466US1

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

The present application is either a U.S. national patent application filed after June 30, 2003 or an international application that entered the national stage under 35 U.S.C. § 371 after June 30, 2003. Thus, Applicant believes that the U.S. Patent & Trademark Office has waived the requirement under 37 C.F.R. 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication. The waiver is provided in a pre-OG notice from the U.S. Patent & Trademark Office entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003" and dated July 11, 2003. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

Respectfully submitted,

STEVEN D. GIROUARD ET AL.

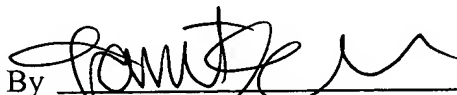
By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6912

Date

July 2, 2004

By



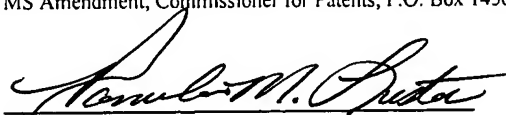
Atty: Janet E. Embretson
Reg. No. 39,665

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Name

Amelia M. Luster

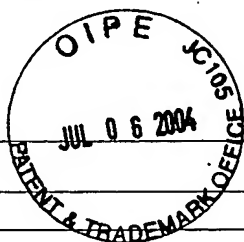
Signature



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)



Complete if Known

Application Number 10/723,258

Filing Date November 25, 2003

First Named Inventor Girouard, Steven

Group Art Unit 3763

Examiner Name Unknown

Sheet 1 of 14

Attorney Docket No: 279.466US1

US PATENT DOCUMENTS

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	Filing Date If Appropriate
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	2002/0001577A1	01/03/2002	Haverich, Axel, et al.	424	93.7	01/18/2001
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	2002/0031501A1	03/14/2002	Law, Peter K.	424	93.21	05/31/2002
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EXAMINER**DATE CONSIDERED**

Substitute Disclosure Statement Form (PTO-1449)

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/723,258
Filing Date	November 25, 2003
First Named Inventor	Girouard, Steven
Group Art Unit	3763
Examiner Name	Unknown

Sheet 2 of 14

Attorney Docket No: 279.466US1

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EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

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Application Number	10/723,258
Filing Date	November 25, 2003
First Named Inventor	Girouard, Steven
Group Art Unit	3763
Examiner Name	Unknown

Sheet 3 of 14

Attorney Docket No: 279.466US1

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EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

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Application Number	10/723,258
Filing Date	November 25, 2003
First Named Inventor	Girouard, Steven
Group Art Unit	3763
Examiner Name	Unknown

Sheet 4 of 14

Attorney Docket No: 279.466US1

US-5,489,293	02/06/1996	Pless, B. D., et al.	607	5	03/31/1994
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Application Number 10/723,258

Filing Date November 25, 2003

First Named Inventor Girouard, Steven

Group Art Unit 3763

Examiner Name Unknown

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Application Number 10/723,258**Filing Date** November 25, 2003**First Named Inventor** Girouard, Steven**Group Art Unit** 3763**Examiner Name** Unknown

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	US-6,154,675	11/28/2000	Juran, C. J., et al.	607	29	10/27/1998
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	US-6,168,801	01/02/2001	Heil, Jr., Ronald W., et al.	424	426	03/19/1999
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Application Number	10/723,258
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First Named Inventor	Girouard, Steven
Group Art Unit	3763
Examiner Name	Unknown

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	US-6,213,942	04/10/2001	Flach, T. E., et al.	600	300	05/20/1999
	US-6,221,011	04/24/2001	Bardy, Gust H.	600	300	07/26/1999
	US-6,224,566	05/01/2001	Loeb, Marvin P.	604	22	05/04/1999
	US-6,231,516	05/15/2001	Keilman, G. W., et al.	600	485	02/23/1998
	US-6,235,970	05/22/2001	Stice, Steven L., et al.	800	24	09/22/1997
	US-6,237,398	05/29/2001	Porat, Y., et al.	73	54.09	09/29/1998
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	US-6,261,230	07/17/2001	Bardy, Gust H.	600	300	12/31/1999
	US-6,266,554	07/24/2001	Hsu, William, et al.	600	515	02/12/1999
	US-6,270,457	08/07/2001	Bardy, Gust H.	600	300	12/31/1999
	US-6,273,377	08/07/2001	Sweeney, Robert J., et al.	600	515	10/01/1999
	US-6,277,072	08/21/2001	Bardy, Gust H.	600	300	10/10/2000
	US-6,277,078	08/21/2001	Porat, Y., et al.	600	486	11/19/1999
	US-6,278,894	08/21/2001	Salo, Rodney W., et al.	600	547	06/21/1999
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	US-6,298,267	10/02/2001	Rosborough, J. P., et al.	607	6	03/07/1900
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	US-6,306,830	10/23/2001	Hammond, H K., et al.	514	44	01/16/1998
	US-6,309,370	10/30/2001	Haim, S. B., et al.	604	66	02/05/1998
	US-6,312,378	11/06/2001	Bardy, Gust H.	600	300	06/03/1999
	US-6,316,419	11/13/2001	Leiden, Jeffrey M., et al.	514	44	08/12/1997
	US-6,317,631	11/13/2001	Ben-Haim, S., et al.	607	9	01/08/1997
	US-6,331,160	12/18/2001	Bardy, Gust H.	600	300	10/10/2000
	US-6,336,903	01/08/2002	Bardy, G. H.	600	508	11/16/1999
	US-6,358,202	03/19/2003	Arent, M.	600	300	01/14/2000
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Group Art Unit	3763
Examiner Name	Unknown

Sheet 8 of 14

Attorney Docket No: 279.466US1

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US-6,368,284	04/09/2002	Bardy, Gust H.	600	508	11/16/1999
US-6,370,424	04/09/2002	Prutchi, David	600	547	12/14/1999
US-6,387,369	05/14/2002	Pittenger, Mark F., et al.	424	93.7	03/27/2000
US-6,398,728	06/04/2002	Bardy, Gust H.	600	300	11/16/1999
US-6,399,300	06/04/2002	Field, Loren J.	435	6	11/16/1999
US-6,410,236	06/25/2002	Metzger, Josph M.	435	6	09/01/1999
US-6,411,840	06/25/2002	Bardy, Gust H.	600	513	11/16/1999
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US-6,436,907	08/20/2002	Leiden, Jeffrey M., et al.	514	44	11/05/1998
US-6,438,419	08/20/2002	Callaway, Clifton , et al.	607	5	09/28/2000
US-6,440,066	08/27/2002	Bardy, Gust H.	600	300	11/16/1999
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US-6,443,949	09/03/2002	Altman, P. A.	606	41	10/23/1998
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US-6,501,983	12/31/2002	Natarajan, A. , et al.	600	517	08/06/1999
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Group Art Unit 3763

Examiner Name Unknown

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Group Art Unit	3763
Examiner Name	Unknown

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Attorney Docket No: 279.466US1

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
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